

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Robert Charles,

Plaintiff,

v.

ACW Logistics, LLC,

Defendant.

C/A No. 3:16-3803-JFA

VERDICT

WE, THE JURY, hereby provide our unanimous findings to the following questions:

1. As to the collision that occurred on April 7, 2015, do you find, by a preponderance of the evidence, that William Girardeau was negligent and that such fault proximately caused of the plaintiff's injuries?

☒ YES

☐ NO

*If you answered "YES" in Question 1, proceed to Question 2. If you answered "NO" in Question 1, go to Question 8 on page 3, check that box, and sign the verdict form at the bottom of the last page.*

2. As to the plaintiff, Robert Charles, do you find, by a preponderance of the evidence, that he was negligent in regard to the collision of April 7, 2015, and that such fault proximately caused his injuries?

☒ YES

☐ NO

*Proceed to Question 3.*

3. Taking the combined fault that proximately caused the plaintiff's injuries as a whole, what percentage of that fault is attributable to each party of this case? Note that the percentages for (a) and (b) below must total 100%.

(a) 50 % attributable to plaintiff, Robert Charles  
 + (b) 50 % attributable to defendant, ACW Logistics, LLC  
 TOTAL: 100%

*If (a) is greater than 50%, do not deliberate further; go to Question 8 on page 3, check that box, and sign the verdict form at the bottom of the page. If (a) is 50% or less, proceed to Question 4.*

4. The total amount of actual damages, if any, sustained by the plaintiff is  
~~Two hundred thousand~~ <sup>(CEC)</sup> dollars (\$ 225,000).  
 Twenty Five thousand

*If your answer to Question 2 was "YES," do not reduce the plaintiff's actual damages in Question 4 by any percentage of fault attributable to the plaintiff in Question 3. The court will make the necessary mathematical computation after your verdict is received.*

5. Did the plaintiff prove that the defendant was negligent in either its hiring or its training and supervision of its driver William Girardeau?

☐ YES

☒ NO

*If you answered "YES" to Question 5, indicate upon which component of negligence your finding was based.*

☐ Negligent Hiring

☐ Negligent Training and Supervision

6. Did the plaintiff prove, by clear and convincing evidence, that the defendant's conduct was reckless so as to support an award for punitive damages?

☐ YES

☒ NO


7. If you answered "YES" to Question 6, then upon which claim or claims was your finding of reckless conduct based?

☐ Recklessness by Mr. Girardeau at the time of the April 7, 2015 collision.

☐ Recklessness by ACW Logistics, LLC, in the hiring of Mr. Girardeau.

☐ Recklessness by ACW Logistics, LLC, in the training and supervision of Mr. Girardeau.

8. ☐ We, the jury, unanimously find for the defendant, ACW Logistics, LLC.

  
Foreperson

October 12, 2018  
Columbia, South Carolina